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DEPARTMENT OF
WATER RESOURCES

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 35976

A. Subcase 1-6

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Palisades Water Users, Inc.

Address: c/o Wendy Murphy

PO Box 1892, Idaho Falls, ID 83404

Daytime Phone: 525-7161

Name & Address of Attorney, if any:

Robert L. Harris

Holden, Kidwell, Hahn & Crapo, P.L.L.C.

PO Box 50130, Idaho Falls, ID 83405-0130

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: American Falls Reservoir District #2

Address: 409 N. Apple St.

Shoshone, ID 83352

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: See remarks below
3. ☒ **Quantity**
Should be: See remarks below
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

10. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** The language used in the Director's amended recommendation should not be interpreted to administer and account for AFRD2's storage water as currently interpreted by the Director and AFRD2. As currently recommended, the administration of water right 1-6 would distribute water to AFRD2 inconsistent with the distribution of this right for the last 30 years by allowing AFRD2 to count previously stored water as natural flow as long as the reservoir fills by or after April 30. Water District 1 has never administered or

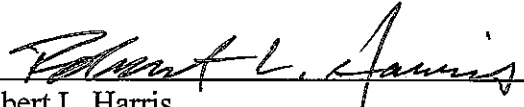
accounted for this right in this manner, and AFRD2 has never challenged Water District 1's administration. For this reason, even if AFRD2 had a claim on this method of administration in the past, they have lost said claim by forfeiture. Further, because this right has never been administered as currently recommended, and because the current recommendation would result in AFRD2 having the ability to store substantially more water than they have historically stored, this administration would result in an illegal expansion of the right. No other spaceholders in the storage system have their storage rights administered and accounted for in this same manner. In fact, if administered as currently recommended, this would negatively impact upstream junior reservoir fill and adversely affect the available storage supply for other water users.

VERIFICATION

State of Idaho)
)ss.
County of Bonneville)

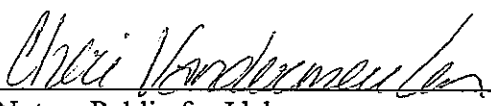
Robert L. Harris, duly sworn, upon oath, deposes and says:

That I am the attorney for the party objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Robert L. Harris
Holden, Kidwell, Hahn & Crapo, P.L.L.C.

Subscribed and sworn to before me this 17th day of September, 2010.



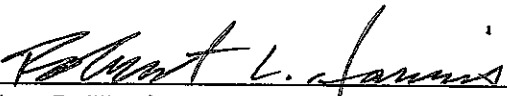
Notary Public for Idaho
Residing at: Idaho Falls, ID
My Commission Expires: July 7, 2015

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of September, 2010, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
2. Copies to:

American Falls Reservoir District #2 409 N. Apple St. Shoshone, ID 83352	IDWR Document Depository P.O. Box 83720 Boise, ID 83720-0098
Chief, Natural Resources Division Office of the Attorney General State of Idaho P.O. Box 44449 Boise, ID 83711-4449	United States Department of Justice Environmental and Natural Resource Division 550 West Fort Street, MSC 033 Boise, ID 83724
American Falls Reservoir District #2 c/o C. Thomas Arkoosh Capitol Law Group PO Box 32 Gooding, ID 83330	American Falls Reservoir District #2 c/o Craig D. Hobdey PO Box 176 Gooding, ID 83330
Aberdeen American Falls Bingham Ground Water Dist. Bonneville Jefferson Ground Water Dist. Carey Valley Ground Water Dist. Jefferson Clark Ground Water Dist. Madison Ground Water Dist. Magic Valley Ground Water Dist. North Snake Ground Water Dist. c/o Randall C. Budge PO Box 1391 Pocatello, ID 83204	Fremont-Madison Irrigation Dist. United Canal Company Blackfoot Irrigation Company c/o Jerry Rigby PO Box 250 Rexburg, ID 83440



Robert L. Harris
Holden, Kidwell, Hahn & Crapo, P.L.L.C.

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